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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,501	10/16/2000	Shridhar P. Joshi	47079-00077	3225

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EXAMINER

RADA, ALEX P

ART UNIT PAPER NUMBER

3714

DATE MAILED: 12/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/688,501

Applicant(s)

JOSHI, SHRIDHAR P.

Examiner

Alex P. Rada

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 39-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 39-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

In response to the Request for Continuing Examination (RCE) filed October 27, 2003 in which the applicant has amended claims 37 and 38, and claims 37-62 are pending in this office action.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 37 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Roseman '984.

3. Roseman discloses accessing via a remote terminal, a game site on a global computer network (internet) connected to the remote terminal, providing personal identification

information to the gaming site, selecting a game of chance for remote play, placing a wager for playing the selected game, and receiving randomly-generated text or graphical outcome data at the remote terminal for the selected game (game server), in which the examiner interprets the selected game to be the game server being a game machine itself on a gaming site having a plurality of games, and the outcome data being generated by the gaming machine (gaming server) and relayed to the gaming site as recited in claims 37 and 38.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 37-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker '016 in view of Wiltshire '602.

6. Walker discloses a communication link between the remote terminal and a gaming site, the gaming site in communication with a gaming server for outcome data from gaming machines located at a gaming establishment, selecting a gaming machine, making a wager to play the selected gaming machine, receiving outcome data including game outcome at the remote terminal resulting from play of the gaming machine (column 2, lines 51-65), generating a payout, a microprocessor, and the memory connected to the microprocessor as recited in claims 37-39, 52, and 62; the outcome data having information identifying the value of the payout and simulate

a display of the game outcome at the remote location (column 5, lines 33-37) as recited in claims 40 and 59; the outcome data to simulate a display of the game outcome on the remote terminal (column 5, lines 33-37) as recited in claim 41; the selected gaming machine is a slot machine wherein the outcome data includes reel position (column 5, lines 33-37) as recited in claims 42, 48, 53, and 60; the selected gaming machine is a video poker machine including a display for displaying a poker hand (column 5, lines 33-37) as recited in claims 43 and 58; the receiving outcome data includes receiving outcome data from a plurality of gaming machine form remote play (column 6, lines 45-56) as recited in claim 44; the outcome data includes a gaming machine identifier and gaming machine type (figure 5 and column 6, lines 31-44) as recited in claim 45-46 and 55-56; the outcome data including receiving player preferences (column 6, lines 8-30) as recited in claims 47 and 57; a player identifier and transmitting the player identifier for identification of the player (column 6, lines 8-30) as recited in claims 49 and 61.

Walker does not expressly disclose the communication link between the remote terminal and a gaming site on a global computer network (Internet) and receiving text or graphical outcome data at the remote terminal for the selected game as recited in claims 37-39, 52, and 62; the game outcome results from the server initiating game play on the selected gaming machine as recited in claim 50; the outcome results from the manual game play on the selected gaming machine as recited in claim 51; receiving information includes receiving information selecting at least two plurality of local gaming machines for remote play as recited in claim 54.

Wiltshire teaches a communication link between the remote terminal and a gaming site on a global computer network (column 5, lines 31-44) and receiving text or graphical outcome data at the remote terminal from the selected game (column 7, lines 7-45), the game outcome

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resulting from the server initiating game play on the selected gaming machine (column 8, lines 42-65), the outcome results from the manual game play on the selected gaming machine, and receiving information includes receiving information selecting at least two plurality of local gaming machines for remote play (column 8, lines 42-65). By having a communication link between the remote terminal and a gaming site on a global computer network (Internet) and receiving text or graphical outcome data at the remote terminal for the selected game, one of ordinary skill in the art would allow game players to participate in different casino type games from a secure and tamper proof computer gaming system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Walker to include a communication link between the remote terminal and a gaming site on a global computer network and receiving text or graphical outcome data at the remote terminal for the selected game, the game outcome resulting from the server initiating game play on the selected gaming machine, the outcome results from the manual game play on the selected gaming machine, and receiving information includes receiving information selecting at least two plurality of local gaming machines for remote play as taught by Wiltshire. To do so would allow game players to participate in different casino type games from a secure and tamper proof computer gaming system

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Falciglia `849, Soltesz `069, Robb `580, Schneier `557, and Paravia all disclose different types of gaming system played on a global computer network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 703-308-7135. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

ABZ  
Apr

  
S. THOMAS HUGHES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700